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## TELECOPY TRANSMISSION

DATE: August 6, 1992

FILE: ARCD:010

TO: Applications Branch

COMPANY NAME: U.S. Patent and Trademark Office

TELECOMPIER NO.: 703-308-2840

NO. OF PAGES TO FOLLOW: 1

FROM: Ronald B. Conley  
Thomas E. Northrup

TELEPHONE NO.: (312) 245-4968

OPERATOR: Judi Karr (X5046)

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August 6, 1992

FILE: ARCD:010  
UCHI:331

VIA FACSIMILE

(703) 308-2840

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Attn: Applications Branch

Re: U.S. Patent Application Serial No. 07/784,222  
(Carol A. Westbrook)  
ARCH Development Corporation  
Filed: October 28, 1991

Dear Sir:

On June 3, 1992 we were informed by Examiner Bennett (telephone number 703-308-3988) that he/she had informed your branch that a sequence disclosure was not necessary in the above-captioned patent application because there were no sequence figures in the original application and no references to such sequences in the claims.

We would appreciate confirmation of correspondence between Examiner Bennett and your office and that the Notice To Comply With Sequence Listing Requirements has been withdrawn.

Very truly yours,

ARNOLD, WHITE & DURKEE

*J. Thomas E. Durkee* #33,268  
for  
Ronald B. Coolley

RBC:jk

cc: Shelley P.M. Fussey, Ph.D.

TO: ARCD:010  
FROM: FUS  
DATE: 8 May, 1992  
RE: SEQUENCE DISCLOSURE

Today I discussed the sequence requirements for ARCD:010 with Examiner Lisa Bennett (703 308 3988) and feel that i made progress. Ms. Bennett said that she will telephone either David Parker or myself when she has reviewed the file and that if she still feels a sequence disclosure is necessary she will forward us a written copy of her reasons.

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04-25-94 06:13p

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0 Free:301,293,568 Used: 7,935

Files: 3

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03	.FUS	3,185	04-01-94 11:43a					

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6 Look; 7 Other Directory; 8 Copy; 9 Find; N Name Search: 6

TO: ARCD:010  
FROM: FUS  
DATE: 3 June, 1992  
RE: SEQUENCE DISCLOSURE

Today Examiner Bennett (703 308 3988) informed me that she did not think a sequence disclosure was necessary prior to the examination of the ARCD:010 application. She has informed the Applications Branch of her opinion and advised us to write to the Applications Branch simply stating that, as there are no sequence figures in the original application and no reference to such in the claims, a sequence disclosure is not necessary.

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04-25-94 06:13p

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	§	
Carol A. Westbrook	§	
	§	Group Art Unit: 1800
Serial No. 07/784,222	§	
	§	Examiner: L. Bennett (Arthur)
Filed: October 28, 1991	§	
	§	Atty. Dkt.: ARCD:010/PAR
For: METHODS AND COMPOSITIONS	§	
FOR THE DETECTION OF	§	
CHROMOSOMAL ABERRATIONS	§	

REC-40  
MAY 25 1992  
GROUP 100

DECLARATION UNDER 37 C.F.R. § 1.132

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

I, **Shelley P.M. Fussey** hereby declare as follows:

1. I am employed in the Austin, Texas office of the law firm of Arnold, White & Durkee located at 2300 One American Center, 600 Congress Avenue, Austin, Texas 78701-3248, as a Scientific Advisor.

2. I was employed by Arnold, White & Durkee during all of 1992 and am still employed by that firm.

3. On about May 8, 1992, Dr. David Parker, Esq. of our Austin Office gave me the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Disclosures and the relevant application as filed. I reviewed the file and discussed the sequence requirements with Dr. Parker.

4. On about May 8, 1992, I contacted the Application Processing Division of the Patent and Trademark Office (703 308 0917) to discuss the matter. A member of this division informed

me that the relevant application was assigned to Examiner Lisa Bennett, and that further questions should be addressed to Examiner Bennett.

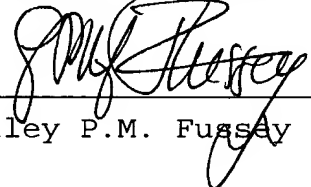
5. On about May 8, 1992, I discussed the sequence requirements with Examiner Bennett. Examiner Bennett informed me that she would review the file and contact either myself or Dr. Parker if she thought a Sequence Listing was required.

6. On about June 2, 1992, I telephoned Examiner Bennett again. At this time, Examiner Bennett informed me that she had reviewed the file and that, in her opinion, a Sequence Listing was not necessary. Examiner Bennett also told me that she had informed the Applications Branch of her opinion and suggested that a letter from Arnold, White and Durkee also be sent to the Application Branch.

7. The undersigned declares that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed in Austin, County of Travis and State of Texas.

17 May, 1994  
Date

  
Shelley P.M. Fussay